

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA
CENTRAL DIVISION**

LORI NICHOLSON and WILLIS
WILLIAM NICHOLSON,

Plaintiffs,

vs.

BIOMET, INC; BIOMET
ORTHOPEDICS, LLC; BIOMET
MANUFACTURING CORP.; and
BIOMET U.S. RECONSTRUCTION,
LLC,

Defendants.

No. 18-CV-3057-CJW-KEM

ORDER

In compliance with the Court's Trial Management Order for Civil Jury Trials, the parties each filed notices of deposition designations. (Docs. 379 & 380). The parties agree they have successfully worked with one another to reduce the number of objections submitted to the Court. The parties also agree it is likely they will be able to resolve some of the outstanding objections without the Court's involvement, either through agreements or because the testimony is no longer necessary. (Docs. 379, at 2 ("The parties are continuing to meet and confer on these objections and anticipate reaching further resolutions before the videos may be played."); 380, at 2 ("[T]he parties are working on a protocol to meet and confer on any objection or response thereto in advance of playing a deposition.")).

Given the parties' willingness to work with one another and their belief they will be able to resolve more of the objections on their own, the Court finds it best to reserve any ruling on the objections here. Thus, the Court holds in abeyance any decisions on

the objections raised in the notices of deposition designations until trial. To keep trial running smoothly, however, the parties must notify the Court and opposing counsel three days before they anticipate they will play a video deposition. The parties need not file an official notice, but should notify the Court at morning conferences before the jury is brought in. The parties must then meet and confer to try and resolve objections. If the parties cannot resolve all of the disputes, the objecting party must file its objections the following day, i.e. two days before the deposition is expected to be presented. The Court is aware of the uncertainties with timing at trial, but it expects the parties to do their best to make sure they provide the Court with the necessary notice to rule on the objections.

IT IS SO ORDERED this 6th day of November, 2020.



C.J. Williams
United States District Judge
Northern District of Iowa